

154/01214 A04

REMARKS

The application now contains claims 1-27 and 29-35. Claim 28 has been currently cancelled and claims 1-3, 7, 10, 22, 24, 25-27 and 29 have been currently amended. The thrust of the amendments and cancellation is to limit the claims to nuclear events and radiation from nuclear events.

Claims 1 and 3-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hasegawa et al. Applicants respectfully traverse this rejection.

Claims 2 and 10-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hasegawa in view of Hudson et al. Applicants respectfully traverse the rejection.

In view of the present amendments and the following remarks, applicants respectfully request reconsideration and allowance of the application.

In particular, the prior art does not explicitly teach that individual events or unbinned events are used in the reconstruction. The previous Examiner's reliance on Hasegawa's ability to discern individual nuclear events is misplaced. In fact, Hasegawa utilizes a different metric than "individual events" namely, "photons per unit time." In order to utilize the metric "photons per unit time, it is necessary to collect the photons in groups (binning). Furthermore, the very concept of events per unit time is the antithesis of utilizing individual or unbinned events.

At the interview the undersigned suggested that applicants would consider replacing "radiation events" with "nuclear events" in the claims, if this would result in allowance. Applicants have done so in the present amendment. This change has been made solely in order to avoid the expense of an appeal. Independent claims 31 and 33 already are limited to specific types of nuclear events. Applicants continue to assert that the prior art does not teach the inventions either in the amended or unamended claims.

The Examiner is respectfully requested to act on the amendment promptly (and to call the undersigned to discuss this case, if necessary) keeping in mind that the next deadline for filing an Appeal Brief is August 19, 2004.

Respectfully submitted,
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July 19, 2004
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